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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

GOULD ET AL

App. Ref.: MNKYP004

Examiner: WIEDER, K

Serial No.: 09/298,336

Filing Date: 04/23/99

Art Unit: 2731

Title:

Method And Storage Device For
Expanding And Contracting Continuous
Pay Media Seamlessly

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231 on September 6, 2000.

Signed:

Erica Mann

Erica Mann

Assistant Commissioner for Patents
Washington D.C. 20231

REQUEST FOR RECONSIDERATION
AND REVISED PETITION TO MAKE SPECIAL
37 C.F.R. 1.102 and MPEP § 708.02(VIII)

Sir:

In response to the Decision on Petition to Make Special mailed July 17, 2000, with a period for response ending September 17, 2000, Applicant hereby requests reconsideration based on the following revised petition and on the remarks herein.

The Decision stated that the petition was denied under MPEP § 708.02(VIII)(C) for failing to include a listing of the field of search by class and subclass, or an indication of the search strategy or terms used for computer searches. Applicant hereby includes a listing of the field of search by class and subclass and the terms used for computer searches.

1. Petition-- MPEP § 708.02(VIII)(A)

Applicant hereby submits this revised petition to make this new application special. This application has not received any examination by the Examiner.

2. Fee

The fee in this matter was previously paid and it is believed that no fee is now due.

3. Claims -- MPEP § 708.02(VIII)(B)

All of the claims in this case are directed to a single invention. If the Office determines that all of the claims presented are not directed to a single invention, then applicant will make an election without traverse as a prerequisite to the grant of special status.

4. Search -- MPEP § 708.02(VIII)(C)

As the undersigned practitioner, being duly registered to practice before the U.S. Patent and Trademark Office, I declare that I have made or caused to be made the careful and thorough search of the prior art as described below.

The searches were carried out by one of this firm's own technical experts using commercially available databases of patents and publications, and were then supplemented with materials provided by the client and in the undersigned attorney's files.

The classes and subclasses searched include:

345/007, 345/013, 345/55, 345/123, 345/125, 345/127, 345/131, 345/133, 345/145,
345/146, 345/157, 345/326-328, 345/328, 345/333-337, 345/341, 345/342, 345/349;
348/007, 348/ 012, 348/013, 348/390, 348/426;
709/219, 709/250; and
712/022, 712/036.

The terms used in the refine search include:

“continuous media”, “content expansion”, “content segment”, etc. The resulting potential references were reviewed for their degree of relevancy to the present invention.

5. Discussion of Related References -- MPEP § 708.02(VIII)(D) and (E)

There is submitted herewith a copy of each of the references deemed most closely related to the subject matter of the claimed invention. Also attached are forms PTO-1449.

(1) U.S. Pat. No. 5,892,966 by Petrick et al., issued Apr. 6, 1999

This is titled "Processor Complex For Executing Multimedia Functions" and it teaches:

A computer processor complex including a hardware processor coupled to a multimedia coprocessor is provided. This computer processor complex is capable of separately processing a stream of non-multimedia instructions in addition to a stream of multimedia instructions such as are used in MPEG audio and video. The computer processor complex includes a visible register set including registers for a program counter and a data pointer. The program counter is used to hold the address in memory where the multimedia instructions are located and the data pointer indicates where the data, corresponding to these multimedia instructions, is located in memory. A hardware processor is coupled to a first bidirectional port on the visible register set and a multimedia coprocessor is coupled to a second bidirectional port on the visible register set. The bidirectional ports allow the hardware processor and the coprocessor to exchange data and status information typically using an interrupt based communication mechanism. A main memory device is also coupled to the hardware processor over bidirectional port and coupled to the multimedia processor over a second bidirectional port. This arrangement allows the hardware processor and the coprocessor to share main memory and load separate instruction streams from main memory.

The reference fails to disclose, teach or suggest the Method And Storage Device For Expanding And Contracting Continuous Pay Media Seamlessly of the present invention which includes providing a plurality of segments which collectively comprise said stored content, wherein each of said segments has a first terminus and a second terminus; wherein content in each of said segments has a temporal flow from said first terminus to said second terminus, and wherein at least one segment is associated with a plurality of links to a corresponding plurality of other of said segments; playing said at least one segment with said temporal flow; determining prior to reaching said second terminus whether a content expansion is desired; and linking to an expansion segment and playing said expansion segment if said content expansion is desired and to a continuing segment and playing said continuing segment if said content expansion is not

desired, where there is an additional link from said expansion segment to said continuing segment such that said continuing segment is played after said expansion segment has been played; as is required by each of the independent claims.

(2) U.S. Pat. No. 5,864,868 by Contois, issued Jan. 26, 1999

This is titled "Computer Control System And User Interface For Media Playing Devices" and it teaches:

A computer system and method for controlling a media playing device. The system provides a user interface for allowing a user access to media pieces stored in a media database. The interface is also for controlling a media playing device, like a player piano or movie playing video device, that is coupled to the computer to play the accessed or selected piece of media. In one embodiment there is a computer interface that allows a user to display only music that relates to a selected category, like jazz or classical music. Another embodiment allows the user to direct the media playing device to automatically play selected music pieces that are related to a selected music category. Another embodiment allows a user to direct the media playing device to automatically play selected music pieces that are related to the selected music composer or artist.

The reference fails to disclose, teach or suggest the Method And Storage Device For Expanding And Contracting Continuous Pay Media Seamlessly of the present invention which includes providing a plurality of segments which collectively comprise said stored content, wherein each of said segments has a first terminus and a second terminus; wherein content in each of said segments has a temporal flow from said first terminus to said second terminus, and wherein at least one segment is associated with a plurality of links to a corresponding plurality of other of said segments; playing said at least one segment with said temporal flow; determining prior to reaching said second terminus whether a content expansion is desired; and linking to an expansion segment and playing said expansion segment if said content expansion is desired and to a continuing segment and playing said continuing segment if said content expansion is not desired, where there is an additional link from said expansion segment to said continuing segment such that said continuing segment is played after said expansion segment has been played; as is required by each of the independent claims.

(3) U.S. Pat. No. 5,828,788 by Chiang et al., issued Oct. 27, 1998

This is titled "System For Processing Data In Variable Segments And With Variable Data Resolution" and it teaches:

A dynamically configurable video signal processing system partitions and encodes data using a variable number of data segments and variable data resolution. The system partitions data into a variable number of data segments by predicting, as a function of the data rate, first and second distortion factors for the data partitioned into first and second numbers of data segments. The first and second distortion factors are mutually compared and the data is partitioned into the number of data segments which exhibits the lower distortion factor value. First and second distortion factors for the data encoded with first and second data resolutions are also predicted. The first and second distortion factors are similarly compared and the data is encoded with the resolution exhibiting the lower distortion factor value.

The reference fails to disclose, teach or suggest the Method And Storage Device For Expanding And Contracting Continuous Pay Media Seamlessly of the present invention which includes providing a plurality of segments which collectively comprise said stored content, wherein each of said segments has a first terminus and a second terminus; wherein content in each of said segments has a temporal flow from said first terminus to said second terminus, and wherein at least one segment is associated with a plurality of links to a corresponding plurality of other of said segments; playing said at least one segment with said temporal flow; determining prior to reaching said second terminus whether a content expansion is desired; and linking to an expansion segment and playing said expansion segment if said content expansion is desired and to a continuing segment and playing said continuing segment if said content expansion is not desired, where there is an additional link from said expansion segment to said continuing segment such that said continuing segment is played after said expansion segment has been played; as is required by each of the independent claims.

(4) U.S. Pat. No. 5,805,806 by McArthur, issued Sep. 8, 1998

This is titled "Method And Apparatus For Providing Interactive Networking Between Televisions And Personal Computers" and it teaches:

A local area network (LAN) supports both baseband digital LAN signals and video, including television signals originating outside the network and local video generated within the network. The network may include personal computers, television receivers, video cassette recorders, printers, and video cameras.

Connection circuitry permits each device to receive both the video and the digital LAN signals through a single coaxial cable connection. The connection circuitry includes a LAN transceiver for each device in the network to enable each device to transmit, receive, and decode digital LAN signals. A computer interface enables any personal computer in the network to receive and display television signals received by the network and video generated by another computer or other device. A television interface enables any television in the network to receive and display local video output by a personal computer or other device in the network and enables the television to be used as a remote monitor for the computer.

The reference fails to disclose, teach or suggest the Method And Storage Device For Expanding And Contracting Continuous Pay Media Seamlessly of the present invention which includes providing a plurality of segments which collectively comprise said stored content, wherein each of said segments has a first terminus and a second terminus; wherein content in each of said segments has a temporal flow from said first terminus to said second terminus, and wherein at least one segment is associated with a plurality of links to a corresponding plurality of other of said segments; playing said at least one segment with said temporal flow; determining prior to reaching said second terminus whether a content expansion is desired; and linking to an expansion segment and playing said expansion segment if said content expansion is desired and to a continuing segment and playing said continuing segment if said content expansion is not desired, where there is an additional link from said expansion segment to said continuing segment such that said continuing segment is played after said expansion segment has been played; as is required by each of the independent claims.

(5) U.S. Pat. No. 5,745,710 by Clanton, III, et al., issued Apr. 28, 1998

This is titled "Graphical User Interface For Selection Of Audiovisual Programming" and it teaches:

An improved graphical user interface for displaying and selecting video programs, such as video on demand, includes a video on demand server coupled to a communication medium. A plurality of settop box receivers are coupled to the communication medium for receiving digitized programming in the form of movies and the like from the video on demand server. The settop box includes a central processing unit (CPU) coupled to a memory and other electronic modules. The CPU generates and displays the present invention's graphical user interface on the subscriber's television. The graphical user interface is based upon a metaphor in which a world of spaces are organized as part of a studio back lot through which a user may navigate. The back lot includes a Poster wall which

presents to the user a series of movie posters representing available selections. When a user touches a Poster on a touch sensitive screen of the television, the CPU generates an animation which displays the Poster coming off of the wall and appearing in the foreground of the screen. If a subscriber selects the Poster to view a feature presentation, the video on demand server downloads the selected video which is displayed on the television. The interface of the present invention further includes Extras which appear in animated form on the interface and move freely between spaces within the studio back lot metaphor. If a user selects an Extra, the Extra is transformed into a movie poster or advertisement. The user may then select the Poster and view the feature presentation.

The reference fails to disclose, teach or suggest the Method And Storage Device For Expanding And Contracting Continuous Pay Media Seamlessly of the present invention which includes providing a plurality of segments which collectively comprise said stored content, wherein each of said segments has a first terminus and a second terminus; wherein content in each of said segments has a temporal flow from said first terminus to said second terminus, and wherein at least one segment is associated with a plurality of links to a corresponding plurality of other of said segments; playing said at least one segment with said temporal flow; determining prior to reaching said second terminus whether a content expansion is desired; and linking to an expansion segment and playing said expansion segment if said content expansion is desired and to a continuing segment and playing said continuing segment if said content expansion is not desired, where there is an additional link from said expansion segment to said continuing segment such that said continuing segment is played after said expansion segment has been played; as is required by each of the independent claims.

(6) U.S. Pat. No. 5,623,588 by Gould, issued Apr. 22, 1997

This is titled "Computer User Interface With Non-Salience Deemphasis" and it teaches:

A relativity controller is a scroll bar/window combination that provides a way to see data in relation to both the context of its wholeness and the salience of its contents. To accomplish this, the linear density or other appearance of the scroll bar (acting as a ruler or scale) varies with the density of the document salience (as indicated by different kinds of annotations or marks). It also provides a way to zoom between perspectives. This is usable on many different data types: including sound, video, graphics, calendars and word processors.

The reference fails to disclose, teach or suggest the Method And Storage Device For Expanding And Contracting Continuous Pay Media Seamlessly of the present invention which

includes providing a plurality of segments which collectively comprise said stored content, wherein each of said segments has a first terminus and a second terminus; wherein content in each of said segments has a temporal flow from said first terminus to said second terminus, and wherein at least one segment is associated with a plurality of links to a corresponding plurality of other of said segments; playing said at least one segment with said temporal flow; determining prior to reaching said second terminus whether a content expansion is desired; and linking to an expansion segment and playing said expansion segment if said content expansion is desired and to a continuing segment and playing said continuing segment if said content expansion is not desired, where there is an additional link from said expansion segment to said continuing segment such that said continuing segment is played after said expansion segment has been played; as is required by each of the independent claims.

(7) U.S. Pat. No. 5,557,724 by Sampat et al., issued Sep. 17, 1996

This is titled "User Interface, Method, And Apparatus Selecting And Playing Channels Having Video, Audio, And/Or Text Streams" and it teaches:

A user interface is displayed on a computer system capable of processing one or more data streams. The user interface has one or more displayed representations, where each of the displayed representations corresponds to one of the data streams. A user of the computer system selectively adjusts the processing of each of the data streams using the corresponding displayed representation of the user interface. In a preferred embodiment, in which the computer system is a system for multicasting audio, video, and/or text data streams, the user interface has a video window for displaying the video stream, a set of audio controls for controlling the play of the audio stream, and a text reader bar for displaying the text stream.

The reference fails to disclose, teach or suggest the Method And Storage Device For Expanding And Contracting Continuous Pay Media Seamlessly of the present invention which includes providing a plurality of segments which collectively comprise said stored content, wherein each of said segments has a first terminus and a second terminus; wherein content in each of said segments has a temporal flow from said first terminus to said second terminus, and wherein at least one segment is associated with a plurality of links to a corresponding plurality of other of said segments; playing said at least one segment with said temporal flow; determining prior to reaching said second terminus whether a content expansion is desired; and linking to an expansion segment and playing said expansion segment if said content expansion is desired and

to a continuing segment and playing said continuing segment if said content expansion is not desired, where there is an additional link from said expansion segment to said continuing segment such that said continuing segment is played after said expansion segment has been played; as is required by each of the independent claims.

(8) U.S. Pat. No. 5,076,584 by Openiano, issued Dec. 31, 1991

This is titled "Computer Game Controller With User-Selectable Actuation" and it teaches:

A controller electrically interfaced to a video game computer or the like for the purpose of controlling a progression of the video game or the like is selectively actuated by discrete motions and forces the locations, magnitudes, and orientations of which are variably predetermined by the user. Pressure, or proximity, sensor units, normally four in number, are independently placeable upon any surface, and normally upon a floor, in any desired pattern and over any desired area. An optional multi-channel hand-held remote control transmitter is affixed with a variable weight. The signals produced by the arbitrarily located pressure or proximity sensors, and by the optional hand-held transmitter, are received by a video game control unit and used to produce electrical signals suitable to be received by a conventional video game computer or the like for the purpose of controlling the progression of the video game. The individual sensor units may be adjusted for the magnitude of forces that must be applied thereto for purposes of actuation. Because the spatial arrangements of the various sensors, and the selection of the forces to be applied thereto, are completely arbitrary, the user is in complete control of the nature and location and magnitude of those motions and forces that he or she must provide, at a preselected degree of difficulty, to the game controller in order to sequence the video game.

The reference fails to disclose, teach or suggest the Method And Storage Device For Expanding And Contracting Continuous Pay Media Seamlessly of the present invention which includes providing a plurality of segments which collectively comprise said stored content, wherein each of said segments has a first terminus and a second terminus; wherein content in each of said segments has a temporal flow from said first terminus to said second terminus, and wherein at least one segment is associated with a plurality of links to a corresponding plurality of other of said segments; playing said at least one segment with said temporal flow; determining prior to reaching said second terminus whether a content expansion is desired; and linking to an expansion segment and playing said expansion segment if said content expansion is desired and to a continuing segment and playing said continuing segment if said content expansion is not

desired, where there is an additional link from said expansion segment to said continuing segment such that said continuing segment is played after said expansion segment has been played; as is required by each of the independent claims.

(9) Sack & Davis, "IDIC: Assembling Sequences From Story Plans And Content Annotations," URL: <http://wsack.www.media.mit.edu/people/wsack/idic.html>, (undated, but known to have been at this URL since Oct. 1998)

This reference teaches:

We describe a system, IDIC, which can generate a video sequence according to a story plan by selecting appropriate segments from an archive of annotated video. IDIC uses a simple planner to generate its stories. By critically examining the strengths and weaknesses of the representation and algorithm employed in the planner, we are able to describe some interesting similarities and differences between planning and video story generation. We use our analysis of IDIC to investigate the representation and processing issues involved in the development of video generation systems.

The reference fails to disclose, teach or suggest the Method And Storage Device For Expanding And Contracting Continuous Pay Media Seamlessly of the present invention which includes providing a plurality of segments which collectively comprise said stored content, wherein each of said segments has a first terminus and a second terminus; wherein content in each of said segments has a temporal flow from said first terminus to said second terminus, and wherein at least one segment is associated with a plurality of links to a corresponding plurality of other of said segments; playing said at least one segment with said temporal flow; determining prior to reaching said second terminus whether a content expansion is desired; and linking to an expansion segment and playing said expansion segment if said content expansion is desired and to a continuing segment and playing said continuing segment if said content expansion is not desired, where there is an additional link from said expansion segment to said continuing segment such that said continuing segment is played after said expansion segment has been played; as is required by each of the independent claims.